

Entered - 10/28/02 - sb
CL02L0772 - DIANNE C. MITCHELL

CLAIM OF: REGINA JORDAN
4701 Flat Shoals Road
Villa 53F
Union City, Georgia 30291

02- R-1938

For damages alleged to have been sustained as a result of a vehicular
accident on March 26, 2002 at Martin Luther King, Jr. Drive and
Chicamauga Avenue.

THIS ADVERSED REPORT IS APPROVED

NOV 18 2002

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

CERTIFIED
NOV 18 2002
Ronda Daughin Johnson
MUNICIPAL CLERK

ADVERSED BY
CITY COUNCIL NOV 18 2002

ADVERSE REPORT

COMM: Public Safety

DATE: 11/12/02

CHAIR: [Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

November 25, 2002

Regina Jordan
4701 Flat Shoals Road
Villa 53F
Union City, GA 30291

02-R-1938

Dear Mr. Jordan:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on November 18, 2002. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Sincerely,

A handwritten signature in cursive script that reads "Rhonda Dauphin Johnson".

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0772

Date: October 31, 2002

Claimant /Victim REGINA JORDAN

BY: (Atty)(Ins. Co.)

Address: 4701 Flat Shoals Road, Villa 53F, Union City, Georgia 30291

Subrogation: Claim for Property damage \$ 380.00 Bodily Injury \$

Date of Notice: 10/23/02 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.)

Date of Occurrence 03/26/02 Place: Martin Luther King, Jr. Drive and Chicamauga Avenue

Department Police Division:

Employee involved C. Murray Disciplinary Action:

NATURE OF CLAIM: The claimant alleges her vehicle sustained damage due to a vehicular accident with a City vehicle. However, the claim as presented does not comply with the requirements of notice as set forth in O.C.G.A. §36-33-5, the six month statute of limitations expired prior to receipt of the claim.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police X Dept Report Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial


Improper Notice More than Six Months X Other Damages reasonable

City not involved Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01 2P01

Claims Manager: Concur/date 10-31-02

Committee Action: Council Action

RCS# 4225
11/18/02
2:59 PM

Atlanta City Council

Regular Session

CONSENT I Pgs. 1-9; Except 02-R-1982; 02-O-1882;

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

NV Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
NV Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

<hr/> 11/18/02 Council Meeting <hr/>	
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSE
AGENDA	ON CONSENT AGENDA
1. 02-O-1774	31. 02-R-1937
2. 02-O-1972	32. 02-R-1938
3. 02-O-1297	33. 02-R-1939
4. 02-O-1859	34. 02-R-1940
5. 02-O-1860	35. 02-R-1941
6. 02-O-1861	36. 02-R-1942
7. 02-O-1974	37. 02-R-1943
8. 02-O-1979	38. 02-R-1944
9. 02-O-1902	39. 02-R-1945
10. 02-O-1962	40. 02-R-1946
11. 02-O-1971	41. 02-R-1947
12. 02-O-1863	42. 02-R-1948
13. 02-O-1864	43. 02-R-1949
14. 02-R-1924	44. 02-R-1950
15. 02-R-1952	
16. 02-R-1966	
17. 02-R-1996	
18. 02-R-2000	
19. 02-R-1951	
20. 02-R-1954	
21. 02-R-1978	
22. 02-R-1983	
23. 02-R-1984	
24. 02-R-1856	
25. 02-R-1931	
26. 02-R-1932	
27. 02-R-1933	
28. 02-R-1934	
29. 02-R-1935	
30. 02-R-1936	

Consent I Vote: 13 Yeas; 0 Nays (See RCS #4225)
Items Removed from Consent: 02-R-1982; 02-R-1882